

1 mentioned that issue. Okay.

2 JUDGE STEINBERG: Okay.

3 BY MR. EVANS:

4 Q Okay. Well, Mr. Jones, when you reviewed the
5 application that was -- did you say it was faxed to you
6 before it was filed?

7 A I believe that -- yes.

8 Q When you reviewed it did you notice that there
9 were some questions that weren't answered with a yes or a
10 no?

11 A There were several items that weren't answered. I
12 did not go through the application line-by-line with Mr.
13 Bankson.

14 Q Well, did you read the whole thing yourself?

15 A I looked at the applicant information to make sure
16 that that appeared to be okay and didn't fully understand
17 and comprehend everything on the form.

18 Q Well, when you came to question 45 when you were
19 looking at it and it said, "Has the applicant ever had an
20 FCC renewal application denied" -- I'm sorry, what does it
21 say? Oh, "Has the applicant or any party to this
22 application or amendment had any FCC station authorization,
23 license or construction permit revoked?" Now you were right
24 in the middle of a revocation process and the Commission had
25 revoked your license.

A Mm-hmm.

2 Q When you saw that question didn't it trigger you
3 that you should make an inquiry about it?

4 A There were several items that weren't answered on
5 here. I believe that the attorney was preparing and
6 answering and responding to everything that was appropriate,
7 you know.

8 Q Okay. Well, I guess that doesn't answer my
9 question. Did you think that --

10 (Multiple voices.)

11 A I don't know that I have an answer for your
12 question, is what I'm trying to get at. Admittedly, I
13 received the document and, admittedly, I gave it a look and
14 a conversation over the phone with Mr. Bankson, who in turn
15 informed me that he was expanding his answer and had to
16 submit additional documentation. All right. And that's how
17 it was being addressed. That's what I know.

18 Q Okay. Did you discuss with Mr. Bankson why the
19 additional information had to be supplied?

20 A Once again, because of the electronic document it
21 was his belief that he, in turn, had to expand upon the
22 answer.

23 Q Okay. Did you understand that the answer that had
24 to expanded upon related to your revocation status?

25 A Yes.

1 Q And did you understand that the Commission needed
2 to be informed that your license had been revoked?

3 A Yes

4 Q Okay. In looking at Mr. Bankson's letters of
5 October 10th and 12th do you think that they informed the
6 Commission of that?

7 A Once again, I'm not an attorney and I'm going to
8 assume that the information that is disclosed here as to
9 dockets is that reference.

10 Q Okay. Well, one of the things you learned from
11 your experience with Mr. Kane and Mr. Franklin was that you
12 have to be completely candid and truthful with the FCC,
13 isn't that right? Isn't that what you've been telling us?

14 A Yes, sir

15 Q Okay. Is this what you mean by a completely
16 candid and truthful disclosure of information to the FCC?

17 A Once again, Mr. Bankson is the person who, in
18 turn, reviewed the application and informed me that this is
19 the way that he needed to respond to the application and to
20 this issue for the renewal. I was going by his advice.

21 JUDGE STEINBERG: I think this is -- I think we're
22 not going to get any more.

23 MR. EVANS: Okay.

24 BY MR. EVANS:

25 Q And your renewal application was granted, wasn't

1 it?

2 A My understanding is yes.

3 Q Did you get any inquiries from the Commission at
4 all about it after it was filed, informal inquiries?

5 A I don't know. I don't believe so,

6 Q And Mr. Bankson never told you that he had gotten
7 a request from the staff for more information or anything?

8 A I don't recall, no.

9 Q Do you understand the process by which FCC
10 applications are filed in the public notice period and then
11 are processed and granted in general?

12 A I have a general understanding that there is a
13 period of time that it is open for people to ask questions
14 or contest.

15 Q Have you ever heard of a petition to deny?

16 A Mm-hmm.

17 Q And do you unders and --

18 (Multiple voices.

19 JUDGE STEINBERG: You have to answer yes.

20 THE WITNESS: Yes.

21 BY MR. EVANS:

22 Q Do you understand generally that with certain
23 types of applications they appear on public notice and
24 people have 30 days to file a protest --

25 A Yes.

1 Q -- with a petition to deny? Did you understand
2 that that process was going to apply to this renewal
3 application?

4 A I did not, no. Excuse me. As I'm reminiscing
5 now, I believe, yes, it was going to apply here. No. **Well,**
6 once again, I don't know. I'm trying to remember the
7 conversations that took place on this item.

8 Q Well, did Mr. Bankson --

9 A And I don't recall.

10 Q -- did Mr. Bankson or anyone in his firm explain
11 the process that the renewal application would go through
12 generally?

13 A No.

14 Q Did you understand though that it would be subject
15 to potential protest from people?

16 A I didn't understand what was going to happen after
17 he, in turn, did the application other than he was applying
18 for it. I'm trying to remember whether there was any other
19 conversation about that.

20 Q Well, let me ask you this. You have been beset
21 for almost 10 years at this point by petitioners in the main
22 Algereq case including my clients.

23 A Okay.

24 Q Did you have any concern that those petitioners
25 might file a petition to deny against your application, your

1 renewal application?

2 A Once again, I'm not aware of what those procedures
3 are but if that was appropriate then, yes, they would have.

4 Q Well, was there any concern expressed to you by
5 Mr. Bankson that somebody might file a protest against your
6 application?

7 A I don't recall discussing that issue with him.

8 MR. EVANS: Let me ask that we identify as
9 Intervenor's Exhibit 3 I think we're up to, a two page
10 document which is a public notice from the Commission dated
11 September 13, 2000 and it's a public notice reflecting
12 your -- for filing certain applications.

13 JUDGE STEINBERG: The document described will be
14 marked for identification as Intervenor's Exhibit 3.

15 (The document referred to was
16 marked for identification as
17 Intervenor's Exhibit No. 3.)

18 BY MR. EVANS:

19 Q I'm going to presume, Mr. Jones, that you've never
20 seen this document before, but tell me if you have?

21 A I don't recall seeing it.

22 Q Okay.

23 MR. EVANS: I'm going to move the admission of
24 this document as an official Commission record that the
25 Court can take notice of.

JUDGE STEINBERG: Okay. Is there a particular
2 portion that --

3 MR. EVANS: Yes. I'm specifically going to the
4 material on page two just about the parallel lines there.

5 JUDGE STEINBERG: Where it says "Alee Cellular
6 Communications?"

7 MR. EVANS: Yes.

8 JUDGE STEINBERG: And does the "KNKN 271" does
9 that go with the Alee --

10 MR. EVANS: *Yes.*

11 JUDGE STEINBERG: -- Cellular Communications?

12 MR. EVANS: Yes. Yes. And that's reflected on
13 the renewal application itself, that's the call sign for
14 Alee.

15 JUDGE STEINBERG: Okay.

16 Any objection?

17 MR. HILL: No. Are you asking for official notice
18 or --

19 MR. EVANS: Yes.

20 MR. HILL: -- admission into evidence? No
21 objections.

22 JUDGE STEINBERG: Okay

23 Intervenor's Exhibit 3 is received.

24 (The document referred to,
25 previously identified as

1 Intervenor's Exhibit No. 3 was
2 received into evidence.)

3 MR. HILL: The limited part that we've just
4 identified and the rest of it is irrelevant?

5 JUDGE STEINBERG: Yeah.

6 MR. EVANS: Well, the date is relevant.

7 MR. HILL: Well, sure.

8 JUDGE STEINBERG: Good try.

9 MR. HILL: It was unintentional. I concede the
10 date.

11 JUDGE STEINBERG: Do you want to move No. 2 while
12 you're moving? And No. 2 is the Rule.

13 MR. EVANS: Yes. Yes, I do.

14 JUDGE STEINBERG: 22.946. Ready?

15 MR. EVANS: Okay

16 JUDGE STEINBERG: Okay. Intervenor's Exhibit 2 is
17 received.

18 (The document referred to,
19 previously identified as
20 Intervenor's Exhibit No. 2 was
21 received into evidence.)

22 BY MR. EVANS:

23 Q Now, Mr. Jones, do you *see* the date on that
24 document?

25 A Yes, sir

1 Q And --

2 JUDGE STEINBERG: That document being --

3 MR. EVANS: I'm sorry.

4 JUDGE STEINBERG: -- Exhibit 3?

5 MR. EVANS: Yes. I'm sorry. Intervenor's Exhibit
6 3, the public notice?

7 BY MR. EVANS:

8 Q And you'll see that the document reflects the
9 acceptance for filing of Alee Cellular's renewal
10 application?

11 A Yes.

12 Q And based on what you told me before you
13 understand that generally there's a 30 day period from when
14 an application goes on public notice that people have an
15 opportunity to file a protest, right?

16 A Yes.

17 Q So 30 days from September 13th would have been
18 October 13, 2000?

19 A Yes.

20 Q Do you know if Mr. Bankson deliberately waited to
21 submit his letters of October 10th and 12th so that it would
22 come at the very end of the petition period so that --

23 A I have no idea.

24 (Multiple voices.)

25 Q -- the application would know that that

1 information was there?

2 A I have no idea or knowledge of that.

3 Q You had no discussion about that particular .

4 A No.

5 Q -- plan? And you have no knowledge of why the
6 timing of those October 10 and 12 letters was as it was?

7 A No, I do not.

8 Q Are you aware that when documents are filed in
9 paper form with the Commission that they have to be scanned
10 in before they appear electronically in the database that
11 the public can look at?

12 A No, I'm not aware of that.

13 Q And you're not aware that that process takes a
14 couple of days before it's available to the public?

15 A I'm not aware --

16 MR. HILL: That's an assumption.

17 MR. EVANS: Eight.

18 MR. HILL: It's not necessarily a verifiable.

19 MR. EVANS: That's been my experience.

20 MR. HILL: Right. No, that's fine.

21 JUDGE STEINBERG: I think it's not that instantly.

22 MR. EVANS: Right.

23 MS. LANCASTER: was there an objection, Your
24 Honor?

25 MR. HILL: Yes. To his characterization.

1 JUDGE STEINBERG: Yeah.

2 I'll sustain the objection.

3 BY MR. EVANS:

4 Q Mr. Jones, in the Algereq case there were two
5 categories of people that were involved in the proceeding.
6 There were more than two but the ones that had the licenses
7 or were trying to get the licenses. Do you understand that?

8 A Mm-hmm.

9 Q You were in the category that already had your
10 license and then there was a whole group of people that did
11 not yet have their licenses.

12 A Okay.

13 Q Is it fair to say that the people that did not
14 have their licenses yet did not have them because the risk
15 sharing agreement had not been disclosed to the Commission
16 at the time that their licenses were -- that their
17 applications were pending?

18 JUDGE STEINBERG: Clarification. Is this -- does
19 this go to what we talked about this morning --

20 MR. EVANS: Yes.

21 JUDGE STEINBERG: -- as on offer, the offer of
22 proof part?

23 MR. EVANS: No, no. This is totally different.

24 JUDGE STEINBERG: Okay. Ask your question again
25 if you could, please.

1 BY MR. EVANS:

2 Q Let me start over. Alee got its original
3 application for New Mexico 3 granted, correct?

4 A Yes.

5 Q And after it was granted it disclosed to the
6 Commission that it was a participant in the risk sharing
7 agreement, right?

8 A Correct.

9 Q The other applicants who did not have their
10 licenses granted disclosed to the Commission that they were
11 involved in the risk sharing agreement before their
12 applications were granted, right?

13 A It would relate very clearly to when they, in
14 turn, received their -- when they became the selectee. It
15 was controlled by that timing and not by anything else that
16 I know of.

17 Q Well, but that is a fact that their applications
18 were pending when the risk sharing agreement wasn't a secret
19 any more but your application had already been granted?

20 A Our application as -- we, as selectee, were one of
21 the earliest ones as selectee and then became our
22 construction permit was granted, okay, due to time and my
23 understanding is the other selectees occurred at a later
24 time so that their construction permit could not have been
25 granted. It's not that we were all there at the same time

1 and -- that's my understanding.

2 Q Okay. But the fact of the matter was that the
3 risk sharing agreement didn't become public until after you
4 got your grant and in the case of the other people it became
5 public before they got their grant?

6 MR. HILL: Mr. Evans' objections is making a
7 statement of fact.

8 MR. EVANS: I'm asking him --

9 MR. HILL: But it's predicated on the statement of
io fact that I'm not sure that --

11 JUDGE STEINBERG: Well, it's not a fact unless the
12 witness -- he's testing the witness' knowledge of this and
13 if the witness doesn't know the witness doesn't know.

14 MR. EVANS: I think he actually answered the
15 question. The other people got their --

16 BY MR. EVANS:

17 Q You got your grant because the Commission didn't
18 know about the risk sharing agreement while your application
19 was pending and the other people didn't because the
20 Commission found out about it while their applications were
21 pending.

22 A And my understanding is that was all as a result
23 of timing as to when you became *the* selectee --

24 Q It wasn't because

25 A -- not because of anything else.

1 Q -- it wasn't that they were morally better or
2 anything than Alee, right?

3 A That's my understanding. The Commission became
4 aware of everything, as I understand it, all around the same
5 time.

6 Q Well, let me ask you this. You say in your
7 testimony that you've learned some lessons from the Algereq
8 case. I think you say, "In the school of hard knocks?"

9 A Absolutely.

10 Q I want to ask you about the lesson that you
11 learned. Did you learn a lesson that you wait to make your
12 disclosures or damaging information until after your
13 application is granted?

14 A I don't think that that is what was planned **or** at
15 least not from our standpoint. My understanding is that
16 Alee is attempting to be up front and truthful on
17 everything. Our school of hard knocks is this whole process
18 that we have gone through which has been an extensive
19 process up through this point, as well.

20 Q But the fact of the matter is you got your license
21 and you actually have been getting distributions since 1999
22 is it? And the other people who made the disclosure before
23 their applications were filed are just getting on the air or
24 have only been on the air a few years, isn't that right?

25 A Or have sold out or done lots of things at this

time. Yes, getting the construction permit ahead of time
2 was a blessing and by the same token a burden because it
3 required us to build out without being able to obtain
4 financing whereas the other selectees were not required to
5 do anything in the way of expending funds other than legal
6 fees to, in turn, continue to contest the risk sharing
7 agreement.

8 Q But, also, you've been in a position since 1999 to
9 actually be receiving distributions from the operations of
10 the cellular system, whereas the other people were just
11 getting approved in 1999.

12 A We also went through about 10 years of trying
13 times in coming up with sufficient cash to continue to keep
14 everything going including the additional costs for the
15 construction.

16 JUDGE STEINBERG: Nobody forced you to do that,
17 did they? You couldn't just --

18 THE WITNESS: Our choice was -- as I understood
19 it, Your Honor, our choice was we were forced to build out
20 the system. We did not have any funding available. We had
21 to find a way to deal with it.

22 JUDGE STEINBERG: And you did?

23 THE WITNESS: And we did, all right. And we had
24 to run the system and we had to complete the system and
25 cover as much of our territory as possible in order to

potentially in the future retain it, all right. So we had
2 to fully construct out site and find a way to do that. We
3 had to operate that site and be actively involved in making
4 sure that the operations were running smoothly out there and
5 the service was being provided.

6 JUDGE STEINBERG: Okay. And when you say site do
7 you mean system?

8 THE WITNESS: I'm talking about the system, the
9 New Mexico 3 sites, okay. So, yes, we became extremely
10 actively involved in the cellular process and the burden was
11 that burden, whereas the selectees had no responsibility and
12 no requirements to do anything throughout that entire time
13 period,

14 BY MR. EVANS:

15 Q But the benefit was that you started getting the
16 payoff years earlier than they did, right?

17 MR. HILL: Objection, Your Honor. We have no way
16 of -- this is a comparison. They had a payoff earlier than
19 some undefined group of people.

20 MR. EVANS: Well, but the witness -

21 (Multiple voices.)

22 JUDGE STEINBERG: Well, why don't you just
23 rephrase the question?

24 MR. EVANS: Well, I think the witness --

25 JUDGE STEINBERG: And maybe don't make it

1 comparative.

2 MR. EVANS: Okay.

3 BY MR. EVANS:

4 Q But the benefit that you got from the risk sharing
5 agreement not having been disclosed prior to your getting
6 your grant was that you started getting a payoff in 1999 and
7 the other applications who had to go through the process
8 before they got their licenses didn't even get their
9 construction permits until 1998 or 1999, right?

10 A I'm not sure of the date, sir.

11 Q But you know it was quite a bit later than *you* got
12 yours?

13 A Yes.

14 Q All right. Let me ask you -- I've got sort of a
15 few disjointed questions so we're going to jump around a
16 little bit but let's do that -- now you've indicated that
17 you didn't know that Sharifan was the alien until March of
18 1990?

19 A Correct.

20 Q And I think you also indicated that that was based
21 on information that had been provided to you by Mr. Kane I
22 guess when he was transitioning out of being the manager?

23 A No. It was information *that* was provided to me by
24 Bob Bernstein on a phone call.

25 Q I'm sorry. Let me stop you. The original

1 information, the reason you didn't know that Sharifan was
2 the partner --

3 A Yes.

4 Q -- was based on a partnership roster that had been
5 provided to you by Mr. Kane?

6 A That is correct.

7 Q Okay. Let me ask you if this is the roster.

8 MR. EVANS: I'm going to ask that the Court or
9 that the presenting officer identifies as Intervenor's
10 Exhibit 4 a three page document, a January 2, 1990 letter,
11 from Allan Kane to Terry Jones.

12 JUDGE STEINBERG: The document described will be
13 marked for identification as Intervenor's Exhibit 4.

14 (The document referred to was
15 marked for identification as
16 Intervenor's Exhibit No. 4.)

17 BY MR. EVANS:

18 Q Now did you take a look at Intervenor's Exhibit 4,
19 sir?

20 (Pause.)

21 A This is listed as Exhibit 4?

22 Q Yes.

23 A Yes.

24 Q Okay. Do you recognize the letter?

25 A It's addressed to me and I have to assume that I

1 got it but I don't recall.

2 Q Well, look at the roster of partners that's on
3 page two of the exhibit.

4 A Mm-hmm.

5 Q Is that what you recall Mr. Kane telling you the
6 roster partners was in the beginning of 1990?

7 A This is what he said the partners were and I would
8 imagine that this is in preparation for the meeting that we
9 were going to have on January 19th.

10 Q Okay. Now when you looked at the roster of
11 partners did you notice that there was anything wrong in it?

12 A Not in particular.

13 Q I'm saying did you notice that there was anything
14 wrong?

15 A No.

16 Q Did you think anything was wrong?

17 A No.

18 Q Okay. Well, for example, you had been at meetings
19 with the partners by this more

20 A Mm-hmm.

21 Q -- the first one by the beginning of 1990 how many
22 meetings had you had with the partners?

23 A I don't recall. I mean there was a December
24 meeting of '88. There may have been two. This may have
25 been the third meeting. I'm not sure how many other

1 meetings there were.

2 Q Okay. So by this time you had had a chance to get
3 to know the partners a little bit who had been perfect
4 strangers to you before?

5 A Yes.

6 Q Okay. So all of these names look familiar as
7 partners?

8 A Yes. The names are familiar.

9 Q Okay.

10 A There are some people that I still haven't met at
11 this time.

12 Q And which ones were those?

13 A In particular, Jay McInerney.

14 Q Anybody else?

15 A Obviously, Shati Sharifan I don't recall knowing.
16 I'm putting myself back in that position. The reason I
17 remember Jay McInerney is because I remember him coming to
18 one meeting, finally, and introducing myself to him later in
19 the years. There's also an error on here as to Candice
20 Dolphin. That's really the Cellular Dreams that's on there.

21 Q Okay. Were there any other errors?

22 A I think he has 16 partners here. There was only
23 14, so 14. I didn't run the percentages to see if they're
24 accurate or not but they appear to be in order.

25 Q Okay. You're saying that now there are 16

1 partners?

2 A No. There were only 14 partners at that time.

3 Q Oh, I *see*.

4 A He has partner 16 down below.

5 Q Oh, I see. Okay. All right.

6 MR. EVANS: Well, all right, I'd like to move the
7 admission of Intervenor's Exhibit 4.

8 JUDGE STEINBERG: Any objection?

9 MR. HILL: No. No objection.

10 JUDGE STEINBERG: Intervenor's Exhibit 4 is
11 received.

12 (The document referred to,
13 previously identified as
14 Intervenor's Exhibit No. 4 was
15 received into evidence.)

16 BY MR. EVANS:

17 Q Okay. Now you've indicated that you got a phone
18 call from Mr. Bernstein in what you estimated was March of
19 1990 telling you that there was a problem with Mr.
20 Sharifan's capital contribution, right?

21 A Yes.

22 Q And you said that you were instructed to return
23 the \$1,000. Was it \$1,000 that Mr. Sharifan had paid?

24 A I don't recall. It was a capital call, whatever
25 the call was at that time.

1 Q Okay. Now who instructed you to do that?

2 A Mr. Bernstein,

3 Q And why did Mr. Bernstein tell you that you should
4 do that?

5 A Mr. Bernstein based upon a conversation I had with
6 him had had a conversation with our FCC attorney at the
7 time, I believe it was Neil Goldberg. Neil had contacted
8 him and had discovered that Shati Sharifan was the alien in
9 the partnership.

10 Q Okay. And when did Mr. Goldberg discover that?

11 A I don't know the specific date. All I know is
12 that that conversation came to me from Mr. Bernstein and he
13 asked me if this had happened, if I had received the money,
14 was he on the capital call? I said, "Yes, yes." He said,
15 "We need to reimburse him his monies immediately." So I
16 prepared the check and sent it to Mr. Bernstein.

17 Q Okay. How did Mr. Bernstein -- I'm sorry, how did
18 Mr. Goldberg know that Mr. Sharifan was the alien?

19 A I wasn't involved in that process. My
20 understanding is that Mr. Bernstein -- the focus on the
21 attorney at the time, working with the attorney at the time,
22 was dealing strictly with the risk sharing issue and they
23 were focusing on *that* particular area since we had engaged
24 them.

25 In the discussions my understanding is that Mr.

1 Bernstein had said that after they had concluded the
2 majority of this that I think Mr. Goldberg had asked was
3 there anything else happened in the organization? He had
4 mentioned that there was an alien at one time and he had
5 asked if there was a set filing and Mr. Bernstein hadn't
6 known.

7 Q If there was a what filing?

8 A If there was some kind of a filing and Mr.
9 Bernstein didn't know. Okay. And that --

10 Q By way of disclosing --

11 (Multiple voices.)

12 A -- filing, disclosing it. Something of that
13 nature.

14 Q Okay. And when did this conversation take place?

15 A The same day that I, in turn, cut the check.
16 Whatever date that was.

17 Q Okay. Do you think that was in March of 1990?

18 A I would say it would have to be March or April.

19 MR. EVANS: Let me ask that we identify as
20 Intervenor's Exhibit 5 a two page document, which is a July
21 2, 1990 letter from Mr. Bernstein to Mr. Sharifan.

22 JUDGE STEINBERG: Okay. The document described
23 will be marked for identification as Intervenor's Exhibit 5.

24 (The document referred to was
25 marked for identification as

Intervenor's Exhibit No. 5.)

THE WITNESS: Yes, sir?

BY MR. EVANS:

Q Okay. Looking at page two of the document that's your signature on the check, isn't it?

A That was the returned check.

Q And the date is March 19, 1339 so you're --

A Pretty good estimate.

Q -- memory was pretty good, yeah. And that would have been around the day that you had the discussion that you were just talking about?

A Yes, sir.

Q Do you have any idea why the money wasn't sent back to Mr. Sharifan until July?

A I have no idea.

Q So you sent the check to Mr. Bernstein?

A Yes, sir.

Q And hadn't Mr. Bernstein told you it was important to return Mr. Sharifan's money?

A I did it that day.

Q Okay.

JUDGE STEINBERG: So you cut the check and sent it to Mr. Bernstein?

THE WITNESS: Per his instructions, yes.

JUDGE STEINBERG: On the 19th?

1 THE WITNESS: March 19th.

2 JUDGE STEINBERG: Of 1990?

3 THE WITNESS: Yes, sir.

4 BY MR. EVANS:

5 Q Okay. Now I think you also indicated yesterday
6 that you weren't sure whether Mr. Sharifan had cashed the
7 check or not, is that right?

8 A I do not know right now factually whether it had
9 or hadn't. I don't recall it being a check outstanding as
10 of this point in time.

11 Q Well, do you look at the partnership's bank
12 statements?

13 A Bank recs are prepared and I don't recall -- I
14 don't remember seeing it as outstanding.

15 Q By bank recs you mean reconciliations?

16 A Bank reconciliations, yes.

17 Q And you would notice if there was a \$1,000 check
18 which hadn't been cashed, wouldn't you?

19 A Yes.

20 Q And you don't remember seeing anything like that?

21 A I don't recall right now seeing it, no.

22 Q Okay.

23 A That was 12 years ago so I don't remember. I'm
24 sorry

25 Q When a check is more than 90 days -- I guess when